

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MALONIS C. WILLIAMS,

Plaintiff,

v.

PRIMECARE, INC.,
DAUPHIN COUNTY PRISON,
WARDEN BRIAN S. CLARK,
CAPT. NEDIDIGH, and,
CAPT. SMITH,

Defendants.

No. 4:18-CV-01653

(Judge Brann)

(Magistrate Judge Carlson)

ORDER

APRIL 8, 2019

On February 28, 2019, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court dismiss without prejudice Malonis C. Williams' amended 42 U.S.C. § 1983 complaint for failure to provide an updated address in accordance with Local Rule 83.18. (Doc. 13). No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error. Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed). Regardless of whether timely objections are

made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule 72.31. This Court has reviewed the Report and Recommendation and has found no clear error on the face of the record, as the totality of circumstances weigh in favor of dismissing this action.¹ Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson’s Report and Recommendation (Doc. 13) is **ADOPTED IN ITS ENTIRETY**;
2. Williams’ amended complaint (Doc. 7) is **DISMISSED** without prejudice; and
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

¹ See *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863, 868 (3d Cir. 1984) (setting forth factors to consider when weighing whether dismissal for failure to prosecute is warranted).